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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/819,690	03/29/2001	Satoshi Takano	109107	3148

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EXAMINER

LEE, GRANVILL D

ART UNIT	PAPER NUMBER
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2825

DATE MAILED: 11/07/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/819,690

Applicant(s)

TAKANO, SATOSHI

Examiner

Granvill D Lee, Jr

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 August 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) 7&8 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-8 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 10.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Restriction

As a matter of record, the applicant's provisionally elected claims 1-6 with traverse, which details a method of forming a device. In essence, the incorporation of the robot in device claims distinguishes between method claims where a conveyor belt could also be used, for these reasons, the restriction must be made final.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

Claims 1-4 and 6 are rejected under 35 U.S.C. 102(e) as being anticipated by Ishizawa et al. (US Pat. 6,328,864).

In view of claims 1 and 6, Ishizawa et al. teaches a semiconductor processing apparatus for wafer or substrate processing comprises the steps of exchanging a substrate (Fig. 1 #W) between a preliminary chamber (Fig. 1

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#108) and the outside; subjecting the substrate to a predetermined processing in a process chamber (Col. 6 lines 7-15); transferring the substrate through a transfer chamber (Fig. 1 #102) provided between the preliminary chamber and the process chamber (Fig. 1 #101); and supplying and exhausting an inert gas (Col. 1 lines 55-60) to and from at least the chamber (Col. 2 lines 35-50) in which the substrate is present among the chambers during the transfer of the substrate.

In view of claim 2, Ishizawa et al. continues processing as indicated in claim 1, by supplying and exhausting an inert gas to and from all chambers during substrate transfer (Col. 2 lines 35-50).

In view of claim 3, and partially indicated in claim 1, Ishizawa et al. further teaches vacuum pump mechanisms in use with the vacuum chambers (Col. 6 lines 15-20).

In view of claim 4, Ishizawa et al. discloses using a vacuum cassette chambers (Fig. 1 #106) to hold a number of wafers (Col. 6 lines 24-35).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ishizawa et al. in view of Park et al. (US Pat. 6,037,272).

In view of claim 5, Ishizawa et al. teaches a semiconductor processing apparatus for wafer or substrate processing comprises the steps of exchanging a substrate between a preliminary chamber and the outside; subjecting the substrate to a predetermined processing in a process chamber; transferring the substrate through a transfer chamber. Although, Ishizawa et al. processes wafers using sputtering, etching and other methods, Ishizawa et al. fails to include a process for making hemispherical grain (HSG) layers on a wafer. Therefore, it would have been obvious to one of ordinary skill in the art to modify and/or clarify Ishizawa et al. as HSG processes are well known in the art. Furthermore, Park et al. includes teaching a method, where a reaction chamber can be used for making HSG thin film on a wafer.

Contact Information

Any inquiry concerning this communication or earlier communications for the examiner should be directed to Granvill Lee whose telephone number is (703) 306-5865. The examiner can be normally reached on Monday thru Thursday from 7:00 am to 5:30 pm.


If attempts to reach the examiner by telephone are not successful, the examiner's supervisor, Matthew Smith can be reached on (703) 308-1323. The fax phone number for this group is (703) 308-7722.

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Any inquiry of a general nature relating to status or otherwise should be directed to the receptionist whose telephone number is 703-308-1782.

Examiner
Granvill Lee
Art Unit 2825

G1
10/30/02


MATTHEW SMITH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800